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No 108

Conflits d'intérêts et éthique chez les élus 2000-2005

Bibliographie sélective

par

Martin Pelletier

Mise à jour des nos 50 (1990-1994) et 70 (1994-1999)

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AFRIQUE

1. Alibert, Jacques. **Transparency International et l'évaluation de la corruption en Afrique**. *Afrique contemporaine*. No 196 (Octobre-décembre 2000). P. 83-98

   « Définition et typologie de la corruption sur le continent africain; méthodes d'enquête de l'organisme Transparency International et résultats de celles-ci pour l'Afrique par pays; mesures préventives et juridiques instaurées pour contrer ce fléau. »

2. Blundo, Giorgio. **La corruption comme mode de gouvernance locale : trois décennies de décentralisation au Sénégal**. *Afrique contemporaine*. No 199 (Juillet-septembre 2001). P. 115-127

   « Examen du rapport entre le processus de décentralisation en milieu rural entrepris au Sénégal et la prolifération de la corruption dans l'administration locale; le cas des communautés rurales de Ida Mouride et de Saly Escale. »

3. Colette, Élise. **Corruption. Une leçon pour l'Afrique**. *L'intelligent*. No 2319 (19 au 25 juin 2005). P. 8-12

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   « Le Kenya est un mauvais élève. Dans le palmarès de *Transparency International* pour l'année 2004, il affiche un score peu honorable : 129e place dans l'indice de corruption sur 145 pays étudiés. [...] Comment lutter contre la corruption? Parce qu'elle est une réalité intimement incrustée dans le système sociopolitique kenyan, les mesures débattues au plan national, largement orientées vers la dénonciation et la sanction des coupables, comme celles préconisées par les institutions internationales et qui portent principalement sur la moralisation et la refonte du secteur public, sont

insuffisantes pour engager un véritable changement. »

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9. Carney, Gerard. **Members of parliament : law and ethics**. St Leonards, N.S.W. Prospect Media, 2000. 441 p.

   « Members of Parliament - Law and Ethics provides a critical appraisal of the legal and ethical standards of members which underpin the integrity of our parliamentary institutions, by focusing on the three sources of those standards : Part I - Qualifications and disqualifications ; Part II - Parliamentary privilege ; Part III - Standards of conduct. Linking these three areas is the fundamental duty of members to act in the public interest rather than in their personal interest. While the focus is particularly on the position of members of all Australian parliaments and legislatures, the principles examined are relevant to all Westminster parliaments throughout the Commonwealth. Members of Parliament - Law and Ethics will prove to be an extremely useful and practical reference for members of parliament, political parties, candidates, lawyers, parliamentary officers and staff, as well as political scientists, journalists and others involved or interested in the parliamentary process. »

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« Public confidence in politicians across all democratic countries has fallen to historic lows in recent years. In Australia, around one in three voters believe that legislators use their public office for financial gain, and only one in four believe that legislators have a high moral code. Governments in many countries have attempted to deal with this problem by establishing codes of ethical conduct for legislators. This paper examines what standards citizens expect from their politicians and, in turn, what standards politicians themselves regard as important. The data come from the 1996 Australian Election Study survey which asked voters and elected representatives what importance they attributed to the eight principles laid out in the federal parliament's own ethical guide. The results show that voters expect higher standards from legislators than do legislators themselves, particularly with regard to the proper use of public resources and rejecting favouritism. A range of hypotheses are tested to account for citizen and elite beliefs about legislators' ethical conduct. The results show that stronger democratic culture and political skills are important for the public, and lengthy exposure to political parties and democratic institutions for the elite. »

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« Guide fixant les règles à suivre pour les députés du parlement de New South Wales en Australie. »

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« In the closing decade of the twentieth century, increasing attention was given to the codification of ethical behavioural standards among public officials, internationally and throughout Australian jurisdictions. This paper describes, compares and provides a preliminary analysis of the limited Australian codification initiatives for elected public officials in State and federal Parliaments over this period, with particular focus on the New South Wales and Queensland legislatures. The paper shows that Members of

Parliament are reluctant to adopt codes of ethics or conduct and forecasts that the focus on implementing codes alone, without a range of supporting ethics initiatives, is likely to be of little effect. »

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    http://www.parl.gc.ca/infoparl/francais/issue.htm?param=168&art=1141

    « Au cours des deux dernières années, le programme des commandites du gouvernement fédéral a été examiné par la vérificatrice générale, le Comité permanent des comptes publics et, plus récemment, par une commission d'enquête présidée par le juge John Gomery. Les questions de la reddition de comptes et de la responsabilité se trouvent au cœur de toutes ces études. L'auteur soutient que le Canada doit redécouvrir l'éthique de la responsabilité. Il propose des réformes structurelles précises pour le Parlement, la fonction publique et l'exécutif. »

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« Cette deuxième édition de *Combattre la corruption* est le fruit des colloques 1998 à 2000 sur le thème de la corruption. Elle a pour but d'offrir aux parlementaires, aux membres de la société civile et à quiconque s'intéresse à la corruption un outil de référence utile sur la question et sur le rôle que les parlements et leurs membres peuvent jouer dans ce domaine. Il est à espérer que cette publication enrichira les bibliothèques de référence des parlements du monde entier. »

20. Franks, Ned. **Les parlementaires et le nouveau code de déontologie**. *Revue parlementaire canadienne*. Vol. 28, no 1 (Printemps 2005). P. 11-16
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« Le présent article répond à deux questions sur le nouveau code de déontologie de la Chambre des communes. Premièrement, quelles différences d'approche significatives y a-t-il entre le nouveau code et les anciennes dispositions de la Loi sur le Parlement du Canada? Deuxièmement, dans quelle mesure la distinction entre intérêt public et intérêt personnel proposée par le nouveau code est-elle valable, et quelles en sont les implications? Pour terminer, l'auteur jette un coup d'œil à ce qui a été fait pour transformer la loi en code de déontologie concret pour les députés et les titulaires de charge publique. »

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« Réflexion d'un citoyen sur le scandale des commandites qui secoue le Parti libéral du Canada et sur l'absence de crédibilité qu'a désormais ce parti. »

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« Les dessous de l'enquête menée par la vérificatrice générale du Canada Sheila Fraser et son équipe sur le scandale des commandites; les répercussions des révélations de l'enquête sur la campagne électorale fédérale de juin 2004. »

28. Vastel, Michel; Soumis, Laurent. **Les dessous de la Commission**. *L'Actualité*. Vol. 30, no 8 (15 mai 2005). P. 26-36

« Aperçu des révélations faites par les témoins entendus à la Commission d'enquête sur le programme de commandites et les activités publicitaires du gouvernement fédéral canadien; portrait du juge John Howard Gomery, président de la Commission. »

29. Young, Magaret. **Les conflits d'intérêts : règles applicables aux législateurs fédéraux**. Ottawa : Division de la recherche parlementaire, 19 décembre 2003. 24 p. (Bulletin d'actualité : 79-3F)
http://www.parl.gc.ca/information/library/PRBpubs/793-f.htm

30. Zussman, David. **How to restore ethics to government**. *Ottawa Citizen*. (June 3, 2002). P. A15
http://www.ppforum.com/ow/ow_p_06_2002B.htm

« For the past three years, the Public Policy Forum has been looking into the issue of declining trust in public institutions in Canada. Given the enormous role that all governments play in the day-to-day life of citizens, it is imperative that we trust the people who make the decisions on our behalf. Lack of trust undermines the democratic system - voter participation declines and it becomes more difficult to attract a high calibre of elected official that is so vital to a vibrant democracy. »

DANEMARK

31. Albaek, Erik. **Political ethics and public policy : homosexuals between moral dilemmas and political considerations in Danish parliamentary debates**. *Scandinavian Political Studies*. Vol. 26, no 3 (September 2003). P. 245-267

    « Political science has abundantly proved that politics involves power, conflict, and self-serving interests. Much less frequently does political science deal with ethics in public policymaking. This article analyses the appeal to moral principles in the political process of drafting three bills, all concerning homosexuals, in which the Danish parliamentary parties, in contrast to normal practice, allowed their members to deviate from the party line and vote in accordance with their 'conscience'. Analysis of the cases indicates that moral considerations are capable of structuring and constraining arguments and that they are decisive for *some* politicians' positions in *some* situations. The cases also raise doubts concerning the widely held view that decisions based on votes of conscience, because they are informed by 'ethical' rather than 'political' considerations, are qualitatively superior to ordinary political decisions. »

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    http://www.spsc.co.uk/index.htm

    « The Scottish Parliamentary Standards Commissioner is an independent investigator of complaints that Members of the Scottish Parliament (MSPs) have broken their Code of Conduct. The Code of Conduct gives guidance to MSPs on how to carry out their Parliamentary duties. ».

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    « As portrayed widely in the print and electronic media, there appears to be a profound crisis of public confidence in all governments-national, state, and local. (1) According to recent statistics, public cynicism may be well justified. Between 1970 and 1991, the number of state and local officials convicted on federal corruption charges increased more than tenfold. (2) Public concern has been especially pronounced in a handful of states, where highly publicized FBI stings (e.g., South Carolina in 1990-1991, Arizona in 1991, California in 1991, and Kentucky in 1992) resulted in indictments and convictions of state legislators, administrators, and lobbyists on charges of extortion and racketeering. (3) In addition to violating the trust of the electorate, unethical behavior by government officials can have deleterious effects on democratic governance. Corrupt or unethical behavior by elected officials might discourage citizen participation. »

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39. National Conference of State Legislatures. **Center for ethics in government**. [Site Web accédé : 14 juin 2005]
    http://www.ncsl.org/programs/ethics/index.htm

    « Organized in 1999 to address the loss of public trust and confidence in representative democracy in America, the center works to create awareness within the public sector and advocacy community for the importance of ethics and ethical behavior. »

40. National Conference of State Legislatures. Center for Ethics in Government at NCSL. **The State of State Legislative Ethics : a look at the ethical climate and ethics laws for state legislators**. Denver : National Conference of State Legislatures, 2002. 164 p.

« The only report of its kind, *The State of State Legislative Ethics* provides a first comprehensive review of state legislative ethics and provides a detailed look at all 50 states' ethics laws. An insightful look into the ethical behavior of state legislatures is presented from the perspective of the entities providing oversight, the state ethics commissions and committees. »

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« The U.S. Office of Government Ethics (OGE) provides overall policy leadership for executive branch departments and agencies in the conduct of their ethics programs. »

44. United States. Senate Select Committee on Ethics. **United States Senate Select Committee on Ethics**. [Site Web accédé : 14 juin 2005]
http://ethics.senate.gov/

« Provides access to Committee Members, the Senate Ethics Manual, the downloadable Public Financial Disclosure Form, additional downloadable forms, updates and notices and links to related websites. »

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« Le livre que voici forme les actes du colloque "Éthique et conflits d'intérêts" qui s'est tenu à Québec le 25 novembre 1999. »

46. Bessières, Michel. **La corruption, plus qu'une affaire d'État**. *Le Courrier de l'UNESCO*. 54e année (Octobre 2001). P. 39-41
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« Les impacts de la mondialisation sur le développement de la corruption

dans le monde; les demandes des États, des milieux économiques et de la société civile pour que les organisations internationales enquêtent sur les liens troubles entre la politique et l'argent, et mettent de l'avant des mesures permettant de mettre fin à ce fléau. »

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« Aujourd'hui, l'éthique est une composante essentielle du projet de modernisation de la fonction publique. Le présent manuel de formation, qui comporte deux parties théoriques et une partie pratique, est consacré à cette « éthique dans un contexte de modernisation. » »

48. Buceta-Hager, Doreen. **Le financement de la vie politique en Allemagne et en France**. *Documents. Revue des Questions allemandes*. Vol. 55, no 1 (Janvier-mars 2000). P. 9-22

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« Is good governance fully compatible with adherence to moral principles, or does it sometimes require their sacrifice? Philosophers throughout the ages have grappled with the problem of "dirty hands" that results from political leaders having to choose between unsatisfactory alternatives. »

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« National, regional, or global networks of parliamentarians are proving important vehicles for enhancing their capacity and the effectiveness of parliaments in developing countries in Asia, Africa, and Latin America and the Caribbean, particularly in fighting corruption and mitigating its negative impacts on economic and human development. This Capacity Enhancement Briefs reviews the activities of several such networks worldwide at the individual, regional, and global levels that are making a difference in the ability of parliamentarians to address corruption in their countries. »

51. Carney, Gerard. **Working paper : conflict of interest : legislators, ministers and public officials**. [Site Web accédé : 2 septembre 2005].
http://www.transparency.org/working_papers/carney/3c-codes.html

« Some codes provide complex detailed rules, others merely state fundamental ethical principles. Other codes do both. Therefore the standards

prescribed in a code of conduct may vary from the general to the quite specific. A code at either end of the spectrum is worthwhile although the more specific, the better the guidance provided. »

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53. Chang, Eric C. C. **Electoral incentives for political corruption under open-list proportional representation**. *The Journal of Politics*. Vol. 67, no 3 (august 2005). P. 716-730

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    « Despite the considerable attention paid to the aggregate-level determinants of political corruption, until recently little empirical work has attempted to understand what systematic factors drive individual politicians to corruption. To reduce this gap, this paper hypothesizes that under open-list proportional representation in which personal votes are expensive yet critical for politicians to win election, politicians' electoral uncertainty regarding their chances of winning election drives them to corruption in order to finance campaigns. The hypothesis, running against the conventional view that suggests an anti-corruption effect of electoral uncertainty, receives substantial empirical support by individual-level data from pre-1994 Italy. »

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    « This rewritten, revised, and expanded reference/text follows the discussion of ethics in significant pieces of public administration literature from the late 19th century to the present, offering theoretical perspective, illustrative cases, and empirical research while describing the evolution, scope, types, and effectiveness of ethics training in the public sector. »

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    « This article discusses the honesty of local politicians and public administrators in 17 countries. First, it goes into deontological, consequential, virtue, and dialogic ethics. Based on a large-scale survey, this article concludes that the ethos (general principle) of honesty is universal value, which conforms to deontological principles. Regarding ethics (the application of the principle in practice), however, important differences between these local elites are seen. The explanation for these differences is

sought at the individual and organizational level. It is argued that organizational factors explain most of the variance. Especially the opinions of colleagues are important. Also, the existence of conflicts and social problems within the community determine whether one is (able to be) honest. This implies that honesty can be seen empirically as a social-cultural phenomenon that varies with the internal and external pressures exerted on the local politicians and administrators. »

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58. Ethics Resource Center. **Organizational ethics links : government**. [Site Web accédé : 14 juin 2005] http://www.ethics.org/resources/nr_oelinks.cfm?NavCat=Government

    « Contains links to organizations whose focus is government ethics. Many of these sites provide information and resources that can assist the various branches of government in responding to the issues raised in the president's column. »

59. Fleming, Jenny; Holland, Ian. **Motivating ministers to morality**. Aldershot : Ashgate/Dartmouth, 2001. 235 p.

60. Grossman, Mark. **Political corruption in America : an encyclopedia of scandals, power, and greed**. Santa Barbara, Calif. : ABC-CLIO, 2003. 466 p.

61. **The history of corruption in central government = L'histoire de la corruption au niveau du pouvoir central**. Amsterdam : IOS Press, 2003. 215 p.
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    Lire notamment le chapitre « Corruption and public service in Canada : conceptual and practical dimensions » de Kenneth Kernaghan, p. 83-98.

62. Hude, Henri. **Le pouvoir**. *L'éthique des décideurs*. Hude, Henri. Paris : Presses de la renaissance, 2004. P. 245-256.
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63. King, Simon. **Regulating the behaviour of ministers, special advisers and civil servants**. London : The Constitution Unit, 2003. 63 p.
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64. Maor, Moshe. **Feeling the heat? Anticorruption mechanisms in comparative perspective**. *Governance*. Vol. 17, no 1 (January 2004). P. 1-28

« This article addresses the implications of political executives losing control over corruption investigations of senior officeholders following the creation of anticorruption mechanisms (e.g., commissions, special prosecutors, independent counsels, investigating judges). When investigations hit close to home, the ensuing political fallout makes political executives eager to look for ways to derail such investigations, especially when investigators proceed with an uncharted mandate. Against this background, two hypotheses are investigated : (i) the striking outcome of this process is a concerted move by targeted political executives to undermine the credibility of anticorruption mechanisms and, when deemed necessary, to terminate their operation, and (ii) the extent to which the prosecutors are successful depends on both institutions and media accessibility : the more centralized and fused political power is, and the less media accessible the government is, the harder it will be to carry out an investigation. These hypotheses are strongly supported by a comparative analysis of five anticorruption mechanisms in the United States, the Soviet Union, Italy, ans Australia (Queensland and New South Wales.). »

65. Menzel, Donald C. **Research on ethics and integrity in governance : a review and assessment**. *Public Integrity*. Vol. 7, no 2 (Spring 2005). P. 147-168

« This article reviews and assesses the research on ethics and integrity in governance published in American journals in 1999-2004 and also focuses on research on this subject in other nations and cultures. It follows upon an earlier article in this journal in which the author reviewed the research published before 1999. As the study demonstrates, research on ethics and integrity in governance has grown from a cottage industry into a robust and flourishing enterprise in the United States and abroad. »

66. Miller, Carla; McClintock, Don. **CityEthics.org**. [Site Web accédé : 14 juin 2005] http://www.cityethics.org/index.html

« We have discovered that cities and counties are having to re-invent the wheel when they establish their ethics programs. In order to conserve resources and to minimize the costs of such programs, we undertook to create a centralized approach to sharing best practices, and documenting seminar materials and links to related websites. »

67. National Democratic Institute for International Affairs. **Legislative ethics : a comparative analysis**. Washington, D.C. National Democratic Institute for International Affairs, 1999. 53 p.
http://www.transparency-lebanon.org/GOPAC/reader/national%20democratic%20institue.%20legislative%20research%20series%20paper%204.pdf

« This paper compares the ethics regimes of 20 countries at all stages of democratic development : Argentina, Australia, Canada, Czech Republic,

France, Germany, Hungary, India, Ireland, Italy, Japan, Korea, Mexico, Poland, South Africa, Spain, Sweden, Taiwan, United Kingdom, United States. »

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74. Speck, Bruno Wilhelm. **Conflict of interest : concepts, rules and practices regarding legislators in Latin America**. Lisbone : ISCTE, octobre 2004. 25 p.
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« Rules and regulations concerning conflict of interest play an important role in discussion on institutional prerequisites for good governance. Our analysis focuses on the concept of conflict of interest and possible tools to provide for solutions. The text embraces a short presentation of the concept of conflict of interest and its discussion in recent literature. We then apply the concept to the case of elected officeholders to the legislative branch, discussing applicability of the main tools for solution of conflict of interest, namely avoidance, disclosure and procedure. Empirical substantiation is drawn mainly from Latin American countries : Argentina, Brazil and Chile.

The issues are legislators' conflicts of interest when proper or family interests appear, when third-party commitments rooted in campaign finance or lobbying are involved, or when elected officeholders legislate on behalf of their own interests, including remuneration, political finance or non-monetary benefits. Possible steps to control or mitigate conflicts of interest on these three levels are discussed. »

75. Ventelou, Bruno. **Équilibres et stabilité de la corruption dans un modèle de croissance : l'effet de la rémunération des politiciens**. *Actualité économique*. Vol. 77, no 3 (Septembre 2001). P. 339-356

« Proposition d'un modèle qui traite la corruption des politiciens comme un « conflit de répartition » opposant les politiciens-prédateurs aux électeurs, en compétition pour l'attribution à leur profit des montants de l'impôt collecté par les gouvernements; examen de l'effet bénéfique d'une bonne rémunération des politiciens pour limiter la corruption. »

76. Williams, Robert. **Conduct unbecoming : the regulation of legislative ethics in Britain and the United States**. *Parliamentary Affairs*. Vol. 55, no 4 (October 2002). P. 611-62

« The purpose of this article is to examine how the legislators of Britain and the United States have responded to the apparent crisis of trust in public life. In particular, it will analyse the responses in the 1997 Report of Ethics Reform Task Force of the House of Representatives and the evidence heard in 2002 by the Committee on Standards in Public Life on the working of the Common's Committee on Standards and Privileges and of the Parliamentary Commissioner for Standards. The aim is to place recent and contemporary discussion in a broader context of the regulation of ethics in the two legislatures. »

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« Conséquences de la condamnation pour corruption d'Alain Juppé sur sa carrière politique. »

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« L'étendue des situations de conflits d'intérêts au sein de l'administration publique française, selon un rapport du Service central de prévention de la corruption. »

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« Dossier sur le vaste système de corruption mis en place par les trois principaux partis politiques (RPR, Parti républicain et Parti socialiste) dans les années 1990 en Ile-de-France impliquant les entreprises du bâtiment. »

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86. **The Commons and the people**. *Griffith & Ryle on parliament functions, practice and procedures*. 2nd Blackburn, Robert; Andrew Kennon; Sir Michael Wheeler-Booth. London : Sweet & Maxwell, 2003. P. 63-121.
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87. **Contempts**. *Erskine May's treatise on the law, privileges, proceedings and usage of parliament*. 23th McKay, Sir William ed. London : LexisNexis UK, 2004. P. 128-154.
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88. Doig, Alan. **Politics and sleaze : Conservative ghosts and Labour's own brand**. *Parliamentary Affairs*. Vol. 56, no 2 (April 2003). P. 322-333

« Sleaze in 2002 was dominated by the continuing legacy of the Conservatives' reputation when in office from 1992 to 1997 and concerns about large donations to the Labour Party and allegations of insider access. Neither party was dogged by the types or scale of scandals they have faced in the past, nor with the types faced some other European governments. Nevertheless, ghosts from the past and continuing scepticism over the reasons for donations to the Labour Party have had an impact on the reputation and standing of both parties. In particular, perceptions of party funding and access have created the potential for Labour's own brand of sleaze. Just as the Back to Basics campaign provided the contrast that pointed up the Conservative government's sexual scandals, so Labour's public stance on political integrity may well become the form of sleaze associated in the public's mind with Labour, with the potential to damage not only its reputation but that of politics in general. »

89. Doig, Alan. **Sleaze, ethics and codes : the politics of trust**. *Parliamentary Affairs*. Vol. 57, no 2 (April 2004). P. 435-452

« 2003 was marked by the continuing efforts of the ethics regulators - the Electoral Commission, the Committee on Standards in Public Life and the Parliamentary Commissioner on Standards - to deal with the problems in public life which often attract the label 'sleaze', and by a number of transient news stories. Allegations involving the wives of the Prime Minister and the Leader of the Opposition, as well as a number of MPs appearing to misunderstand the rules governing allowances, contrasted with the less-reported but continuing work on the more serious issues of party funding,

the parliamentary inquiry process and the activities of special advisers. This last work may be more important in terms of addressing the continuing decline of trust in public life in general, and specifically in the current government, which has focused on the way information has been presented and used by the government to explain and justify its participation in the Iraq invasion. »

90. Doig, Alan. **Sleaze : picking up the threads or 'back to basics' scandals ?** *Parliamentary Affairs*. Vol. 54, no 2 (April 2001). P. 360-375
http://pa.oxfordjournals.org/cgi/reprint/54/2/360

« Sleaze was a term increasingly used in the last two years of the Major government to encompass those activities public and media associated only with private advantage from public office or with the contrast between private behaviour and public pronouncement, but also with partisan or party political benefit. Whether the term still has a resonance today, and whether the Labour politicians or those in public life generally are still involved in activities that have the potential for being so labelled, is a matter for debate. While there were signs in the year 2000 that conduct of politicians and public appointees could develop into what might become termed the threads of sleaze, the number of cases likely to be treated as individual scandals is low. Collectively, they are to date unlikely to develop the perceived interdependence and frequency which attracted the label sleaze that so tarnished the image of the Major government. »

91. Doig, Alan; Skelcher, Chris. **Ethics in local government : evaluating self-regulation in England and Wales**. *Local Government Studies*. Vol. 27, no 1 (Spring 2001). P. 87-108
http://www.psa.ac.uk/cps/2003/Chris%20Skelcher.pdf

«Local government in England and Wales is subject to the implementation of the Labour government's "new ethical framework" legislation. This involves a statutory code of conduct for councillors, local standards committees to promote good practice and external investigative and adjudicative bodies to deal with allegations of misconduct. Prior to this many local authorities had adopted a self-regulatory approach to improving their ethical practice. This article charts the development of non-statutory policy towards standards of conduct – largely due to the generally high ethical standards in councils. A study of councils who have introduced self-regulation through standards committees shows that it provides a positive strategy for strengthening the ethical climate, although there is a role for external verification and, potentially, intervention where councils face structural problems of misconduct and/or corruption. The current creation of a statutory system with powerful investigatory agencies is not justified in the context of levels of misconduct and the experience of self-regulation. »

92. Evans, Mark. **Politicians as paragons of virtue : liberalism and ethical exemplification in public life**. *Journal of Political Ideologies*. Vol. 9, no 1 (February 2004). P. 51-69

« It is often claimed that liberals today advocate a politics which, as far as possible, eschews support for any particular ethical ideals of character. Among the considerations that may be adduced in support of this commitment is an ostensibly powerful resistance to any notion that politicians have a special responsibility to set ethical standards for those they represent. This article argues, however, that the idea of politicians as "ethical exemplars" can be presented in a form to which liberals could in fact be consistently sympathetic. Minor though the idea's role in a liberal conception of politics may be, the argument in support of it highlights a little-noticed way in which the ethical-impartialist reading of "liberalism" is impoverished. »

93. Gay, Oonagh. **Parliamentary standards : a developing issue**. *Political Quarterly*. Vol. 74, no 1 (January-March 2003). P. 83-90

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95. Grande-Bretagne. **The government's response to the ninth report of the Committee on Standards in Public Life**. London : The Stationery Office, 2003. 21 p. (Cm : 5964)
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98. Grande-Bretagne. Committee on Standards in Public Life. **Standards of conduct in the House of Commons : report : eighth report of the Committee on Standards in Public Life**. London : The Stationery Office, 2002. 82 p. (Cm : 5663)
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100. Grande-Bretagne. Parliament. House of Commons, Committee on Standards and Privileges. **A new code of conduct and guide to the rules : ninth report of session 2001-02 : report, together with proceedings of the Committee.** London : The Stationery Office, 2002. 52 p. (HC : 763)
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102. Kaye, Robert. **Regulating bribery, conflict of interest and corruption in Westminster**. London : ESRC Center for Analysis of Risk and Regulation, London School of Economics and Political Science, 2005. 31 p.
http://www.psa.ac.uk/2005/pps/Kaye.pdf

103. Skelcher, Chris; Snape, Stephanie. **Ethics and local councillors : modernising standards of conduct**. *Parliamentary Affairs*. Vol. 54, no 1 (January 2001). P. 72-87

« This article traces the resurgence of interest in ethical conduct in the UK and examines its implications, with particular reference to local government. The discussion of the new ethical framework for councillors concentrates on the way in which self-regulation by local authorities has been undertaken and the rationale for its replacement by a stronger external regime. The argument is that this development is not a response to increased misconduct or impropriety but to national political imperatives associated with the New Labour government's modernisation agenda. The potential impact on standards of conduct of the executive systems of decision making being introduced into local government is considered, and especially the potential for a greater concentration of political power and reduced public rights of access to the decision-making process. The conclusion identifies a contradiction between the desire, on the other, to increase the efficiency of the local authority decision-making process. »

104. United Kingdom Parliament. **House of Lord code of conduct.** [Site Web accédé : 20 juin 2005]
http://www.parliament.the-stationery-office.co.uk/pa/ld/ldcond/ldcond.htm

105. Woodhouse, Diana. **Delivering public confidence : codes of conduct, a step in the right direction**. *Public law*. (Autumn 2003). P. 511-533

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« Italy's "clean hands" anti-corruption campaign foreshadowed changes in key areas of Italian politics, including electoral and fiscal reform. »

107. Della Porta, Donatella. **A judges' revolution? Political corruption and the judiciary in Italy**. *European Journal of Political Research.* Vol. 39, no 1 (2001). P. 1-21 http://www.polisci.berkeley.edu/courses/coursepages/Summer2003/ps149/Judges.pdf

« During the investigations into political corruption in Italy, judges emerged in the eyes of the public as the "heroes" of a peaceful revolution against the "villainous" politicians. The established explanation for the active role of the judiciary against corruption stress the unusual degree of independence of Italian judges. Without denying the importance of this institutional variable, analysis interactions between politicians and judges in the history of Italian Republic allows one to discuss the role of other two important variables : the informal networking between politicians and judges, and the professional culture of the magistracy. The three sets of variables are in fact used to explain two different strategies adopted by Italian judges in their interaction with the political system : a strategy of "role substitution", according to which some judges act as a surrogate power for the protection of the citizens against corrupt politicians, and a "collusive strategy", consisting of various levels of hidden exchanges between judges and politicians. This article is based on an examination of judicial documents relating to 40 episodes of political corruption, in-depth interviews with experts, reports of relevant Parliamentary Inquiry Commissions, request for indictment of Members of Parliament, official statistics and the daily and weekly press. »

108. Sisti, Leo. **Italy : corruption notebook**. [Site Web accédé : 28 juillet 2005] http://www.public-i.org/ga/country.aspx?cc=it&act=notebook

Cet article provient du site Web The Center for Public Integrity « On April 29, 2003, a judge in a packed Milan court read a late-night statement reporting a verdict convicting Cesare Previti, former defense minister and a close aide of Prime Minister Silvio Berlusconi, to 11 years in jail after a three-year trial. Previti, a lawyer and a member of the Chamber of Deputies, was found guilty—along with other lawyers—of bribing Rome

judges in two corporate takeovers during the 1990s, one of which involved Berlusconi's Fininvest holding company. »

LITHUANIE

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110. Commission européenne pour la démocratie par le droit. **Code de bonne conduite en matière électorale : lignes directrices et rapport explicatif.** Strasbourg : Éditions du Conseil de l'Europe, 2003. 48 p. (Collection Science et technique de la démocratie : 34)
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111. Williams, Veronica. **Parliamentary codes of conduct in Europe : an overview.** Bruxelles : European Centre for Parliamentary Research and Documentation, 2001. 78 p.
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« This study published by the European Centre for Parliamentary Research and Documentation looks at formal and informal rules of ethics for members of parliament in European parliaments. It provides a general summary of the principles of ethics and regulatory institutions which are used in relation to parliamentarians, and includes tables with an overview of how these issues are resolved both in specific European Union countries, EU candidate countries and in other European countries. The study was completed in November 2001. »

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